



Robert E. Littlefield, Jr.  
United States Bankruptcy Judge

So Ordered.

Signed this 12 day of March, 2015.

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

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In re:

Chapter 7

HOFFMANS TRADE GROUP LLC,

Case No. 13-11662-1-REL

Debtor.

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**ORDER APPROVING THE SALE OF  
CERTAIN CUSTOMER LIST OF DEBTOR**

UPON the Trustee's Notice and Motion for Sale of Certain Customer List of the Debtor Pursuant to 11 U.S.C. 363 [Docs. 69 & 70] filed on February 3, 2015, by his counsel, Deily & Glastetter, LLP, and

UPON the Affidavit of Limited Opposition to the Trustee's Motion [Doc. 73] filed on February 24, 2015 by Robert K. Weiler, Esq. on behalf of Commercial Factors of Atlanta, and

UPON the hearing held before the Court on February 25, 2015, and the appearances of Leigh A. Hoffman, Esq. for Chapter 7 Trustee; Marc S. Ehrlich, Chapter 7 Trustee; Lisa M. Penpraze, Assistant United States Trustee; Karl J. Sleight, Esq. on behalf of Gael Coakley, individually;

Robert K. Weiler, Esq. on behalf of Commercial Factors of Atlanta; and John Merlini, President of JSL Partners, Inc.; and

UPON the concerns of Robert K. Weiler, Esq being satisfied and the record clearly reflecting that the Chapter 7 Trustee was selling only the customer list of the waste recycling business and no further assets or causes of action held by the Estate or the Trustee; and

UPON the bidding held before the Court on February 25, 2015 wherein John Merlini was the successful bidder for the customer list at \$5,000.00 and upon Gael Coakley agreeing to serve as the back-up bid in the event John Merlini does not close within 30 days of the date of this Order; and for all the reasons stated therein, it is hereby

ORDERED, that the customer list shall be sold to John Merlini for \$5,000.00 subject to payment in full within 30 days of the date of this order; it is further

ORDERED, that in the event John Merlini is unable to close for any reason whatsoever, the Trustee is authorized to sell the customer list to the back-up bid of Gael Coakley for \$4,500.00; and it is further

ORDERED, that the customer list is sold as is, where is, without any representations or warranties and is sold free and clear of any liens; liens, if any, attaching to proceeds; and it is further

ORDERED, that notwithstanding the foregoing, nothing contained in this sale or sale order sells any rights or causes of action which the Chapter 7 estate has against any third party of any kind whatsoever. More specifically, the Chapter 7 estate retains any potential claims that may relate to pre-petition use or misappropriation of the debtor's customer lists; and this sale price does not reflect any pre-petition value to any customer list of the debtor.

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